

REMARKS/ARGUMENTS

Claims 1-4, 6-11 and 13 are pending herein. Claim 1 has been amended as supported by page 4, lines 1-6 of the original specification, for example. Applicants respectfully submit that no new matter has been added.

Applicants appreciate the Examiner's indication that claims 2 and 3 would be allowed if rewritten in independent form. For the reasons explained below, however, amended independent claim 1 is believed to be allowable over the applied prior art.

1. Claims 1, 6, 8, 10 and 11 were rejected under §102(e) over Leveque, and claims 4 and 9 were rejected under §103(a) over Leveque. To the extent that these rejections may be applied against the amended claims, they are respectfully traversed.

Claim 1 recites a device for analyzing the physicochemical properties of a cutaneous surface. The device comprises, among other things, a handheld mobile component and an acquisition region located along a single side of the handheld mobile component. The device further comprises at least three physicochemical sensors grouped and located within the handheld mobile component and directed toward the acquisition region. Claim 1 has been amended to clarify that each of the at least three physicochemical sensors measures a different physicochemical skin parameter.

The Examiner is respectfully requested to note that an important feature of the present invention is that the single handheld mobile component houses the at least three physicochemical sensors so that a variety of different physicochemical skin parameters can be measured at the same time. Because each of the three physicochemical sensors measure a different physicochemical skin parameter, parameters such as pH, moisture and topography can all be measured at the same time, each by a sensor specifically adapted to measure the respective physicochemical skin

parameter. Applicants respectfully submit that directly measuring each different physicochemical skin parameter rather than extrapolating a variety of different parameters from a single parameter, such as an image of a skin section, allows for a faster, more accurate result. Further, directly measuring different skin parameters allows for the collection of parameters, such as pH, which cannot be extrapolated from an image. Each of these will be discussed more fully below.

Leveque discloses, in column 2, lines 7-19, that the device disclosed therein is to include an active surface containing a non-optical sensor used to generate an image of a zone of skin, the image representative of the appearance of the zone of skin under study. Leveque discloses, in column 2, lines 27-41, that the active surface is to be a plurality of similar individual detection cells that are (1) sensitive to temperature variations, (2) sensitive to at least one electrical magnitude, **or** (3) sensitive to variations and pressure. There is no disclosure or suggestion within Leveque that an acquisition apparatus can or should include two or more of these different types of sensors. Leveque discloses, in column 2, lines 38-47, that the plurality of similar individual detection cells are to be arranged such that the greater the density of the individual detection cells per unit area, the better the resolution of a resulting image of the observed zone. In other words, the individual detection cells forming the active surface each function in a similar manner (i.e., measure the same characteristic) such that each individual detection cell forms a pixel within the resulting two-dimensional (2D) image of the zone of skin under study. Leveque discloses, in column 3, lines 3-12 that an additional contact pressure sensor may be added to the plurality of similar individual detection cells in order to create a three-dimensional (3D) image.

Leveque clearly discloses, in column 3, line 50--column 4, line 15, that the individual 2D or 3D images of the zone of skin under study are processed to extrapolate properties of the skin based solely on structural appearance shown in the

2D or 3D image. Accordingly, the plurality of identical individual detection cells provided on the active surface of the device and the contact pressure sensor are used only to create a 2D or 3D image, and are not used for any measurements other than to create the image representative of the appearance of the skin zone under study.

The Examiner is respectfully requested to note that the plurality of similar individual detection cells provided in the active surface of the Leveque device is comparable to the cutaneous print sensor of the present invention. For example, Leveque discloses, in column 2, lines 29-32, that in one embodiment the sensors used to acquire the image of the zone under study are sensitive to at least one electrical magnitude (e.g., electrical charge). Similarly, the cutaneous print sensor of the present invention measures “various irregularities of the surface of the skin” (specification, page 4, lines 23-25) using a sensor that is sensitive to electric charge (“capacitive measurement”, specification, page 4, line 26). Accordingly, it should be obvious that the plurality of similar individual detection cells measure only one physicochemical parameter of the skin (i.e., a cutaneous print) for the creation of a 2D or 3D image representative of the appearance of the skin zone under study. Applicants respectfully submit that it is impossible to measure other physicochemical skin parameters, such as pH or moisture, using the sensors provided in the active surface of Leveque.

Further, Applicants respectfully submit that the differences between the present invention and the device of Leveque are further made clear through the relative area required for the devices to operate. For example, Leveque discloses, in column 2, lines 48-53, that a zone of skin must be large enough to be representative in a statistical sense (e.g., 0.2 cm^2 - 2 cm^2). This relatively large area is required because the sensors of Leveque create only an image representative of the appearance of the skin zone under study, which then must be analyzed to extrapolate other characteristics. To the contrary, in the present invention, the set of at least three

physicochemical sensors are grouped in a limited region making it possible to obtain results representing the same limited region for all of the parameters being analyzed (specification, page 3, lines 28-30). Applicants respectfully submit that this region is very small when compared to the area required by Leveque because the individual physicochemical sensors of the present invention directly measure a different physicochemical skin parameter such that the large area required by Leveque for statistical purposes is not required.

In light of the foregoing, Applicants respectfully submit that Leveque fails to disclose or suggest a device for analyzing the physicochemical properties of a cutaneous surface, the device comprising, among other things, at least three physicochemical sensors, each measuring a different physicochemical skin parameter, grouped and located within a handheld mobile component, as recited in claim 1. Since claims 4, 6 and 8-11 depend either directly or indirectly from claim 1, those claims are also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

The Examiner is respectfully requested to note that claims 7 and 13 were not addressed in any rejection in the present Office Action. Applicants respectfully submit that claims 7 and 13 define patentable subject matter not present in the art of record, and are considered to be allowable over the art of record.

For at least the foregoing reasons, Applicants respectfully submit that all pending claims herein define patentable subject matter over the art of record. Accordingly, the Examiner is requested to issue a Notice of Allowance for this application in due course.

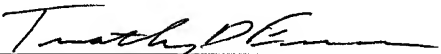
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

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Date


Stephen P. Burr
Reg. No. 32,970

Timothy D. Evans
Reg. No. 50,797

SPB/TE/tlp

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320